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09/752,135	12/19/2000	Carl Chang	25609.00010	2531

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EXAMINER

MEUCCI, MICHAEL D

ART UNIT	PAPER NUMBER
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2142

MAIL DATE	DELIVERY MODE
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11/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/752,135

Applicant(s)

CHANG ET AL.

Examiner

Michael D. Meucci

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 45-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the request for reconsideration filed 28 August 2007.
2. Claims 45-49 remain pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 45, 47, and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. ("A Research on Collaboration Net") hereinafter referred to as Chang '97.

a. Regarding claim 45, Chang '97 teaches: means for internet access (lines 5-16 of right column on page 228); a meeting environment (lines 18-27 of right column on page 229); means for allowing mitigation of a set of protocol rules within said meeting environment (line 28 of right column on page 230 through line 11 of left column on page 231); an object based client-server architecture functionally supporting said meeting environment (lines 1-11 of left column on page 231 and Fig. 4) and said means for allowing mitigation of said protocol rules by virtue of a set of application program interfaces which allow communication between said means for allowing mitigation of said set of protocol rules and said meeting environment (lines 2-9 of left column on page 230 and lines 1-11 of left column on page 231); wherein said set of protocol rules

is based on Robert's Rules of Order (line 26 of right column on page 228 through line 7 of left column on page 229, lines 34-40 of left column on page 229, and lines 1-7 of left column on page 231) and is created by a colored petri net (line 28 of right column on page 229 through line 20 of left column on page 230).

b. Regarding claim 47, Chang '97 teaches: accessing an electronic environment supported by an object based client-server architecture (lines 5-16 of right column on page 228); communicating through said electronic environment supported by said object based client-server architecture (lines 5-16 of right column on page 228); and applying a set of protocol rules within said electronic environment by virtue of said object based client-server architecture (lines 2-9 of left column on page 230 and line 28 of right column on page 230 through line 11 of left column on page 231); wherein said set of protocol rules is based on Robert's Rules of Order (line 26 of right column on page 228 through line 7 of left column on page 229, lines 34-40 of left column on page 229, and lines 1-7 of left column on page 231) and is created by a colored petri net (line 28 of right column on page 229 through line 20 of left column on page 230).

c. Regarding claim 48, Chang '97 teaches: accessing an electronic environment supported by an object based client-server architecture (lines 5-16 of right column on page 228); communicating through said electronic environment supported by said object based client-server architecture (lines 5-16 of right column on page 228); applying a set of protocol rules within said electronic environment by virtue of said object based client-server architecture (lines 2-9 of left column on page 230 and line 28 of right column on page 230 through line 11 of left column on page 231); wherein said

object based client-server architecture comprises a collaboration server, a collaboration client, a domain server, and a set of middleware components (lines 5-25 of right column on page 228 and lines 25-34 of right column on page 229); wherein said set of protocol rules is based on Robert's Rules of Order (line 26 of right column on page 228 through line 7 of left column on page 229, lines 34-40 of left column on page 229, and lines 1-7 of left column on page 231) and is created by a colored petri net (line 28 of right column on page 229 through line 20 of left column on page 230).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 46 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang '97 as applied to claims 45 and 48 above, in view of Robert's Rules of Order Revised – 1915 Version by General Henry M. Robert, hereinafter referred to as RROR.

a. Regarding claims 46 and 49, Chang '97 teaches: a meeting floor and means to control said meeting floor (line 26 of right column on page 228); a meeting list (lines 34-40 of left column on page 229); and means to make motions (lines 21-25 of left column on page 230).

Chang '97 does not explicitly teach: a meeting registration function, a meeting call to order function, and an adjournment function. However, these features are mere recitations of procedure from RROR as shown in the table of contents for RROR (see topics under (I)(I)(3), I(II), (I)(III)(17), etc). "In our modern world, since there is no longer a strict requirement for all parties to be present at the same time to participate a meeting, perhaps in a global setting, the conventional RRO must be modified and extended to meet the new meeting requirements," (lines 30-35 of right column on page 228 of Chang '97). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to incorporate these features in the system as taught by Chang '97.

Response to Arguments

7. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

8. The applicant provides no arguments refuting the validity of the art-based rejections under 35 U.S.C. 102(b) and 103(a). The affidavit under 37 CFR 1.132 filed on 04 January 2007 invalidated the Chang '99 reference as prior art by another, which the examiner felt was the best base reference to reject the applicant's claims. Because the Chang '99 reference was no longer valid, the examiner issued rejections using the

Chang '97 reference which, still teaches the limitations of the applicant's invention. The Chang '99 reference was, in the opinion of the office, the most closely-related prior art to the applicant's invention, differing only in that it did not teach the Robert's Rules of Order limitation, which the Chang '97 reference teaches. Once the Chang '99 reference was invalidated as prior art, it became the opinion of the examiner that the Chang '97 reference, while not as detailed as the Chang '99 reference, was in fact valid prior art under 35 U.S.C. 102(b). Through the course of examination, the understanding of the applicant's invention by the examiner has changed and it is now the opinion of the examiner that the Chang '97 reference is sufficiently detailed to reject the applicant's invention under 102(b). The sections of Chang '97 cited in the rejections above are sufficient to reject the claims under 102(b) without further explanation because the applicant has not brought forth arguments pertaining to the patentability of specific limitations of the claimed invention.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37.CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JASON CARDONE
SUPERVISORY PATENT EXAMINER